IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: BROOKS, Roger John

SERIAL NO.: 10/524,297 ART UNIT: 3711

FILED: August 23, 2005 EXAMINER: Chiu, R.

TITLE: GOLF PUTTING TRAINING DEVICE

Amendment A: REMARKS

Upon entry of the present amendments, previous Claims 1 - 16 have been canceled and new Claims 17 - 23 substituted therefor. Reconsideration of the rejections, in light of the forgoing amendments and present remarks, is respectfully requested. The present amendments have been entered for the purpose of placing the claim language into a more proper U.S. format and for distinguishing the present invention from the prior art.

In the Office Action, it was indicated that Claims 1, 2, 5, 15 and 16 were rejected as being anticipated by the Leonard patent. Claims 1 - 3, 11 and 15 were rejected as anticipated by the Thornhill patent. Claims 1 - 3, 5, 10 and 13 - 15 were rejected as anticipated by the Banks patent. Claim 4 was rejected as being obvious over the Banks patent in view of the Bamber patent. Claims 6 and 12 were rejected as being obvious over the Banks patent. Claims 8 and 9 were rejected as being obvious over the Banks patent in view of the Martinez patent. The drawings were objected to under 37 C.F.R. 1.83(a). Additionally, there were several formality objections with respect to the claim language.

As an overview to the present reply, Applicant has extensively amended the claim language in the form of new Claims 17 - 23. The new claims express the original limitations in a more proper U.S. format, including proper antecedent bases and proper structural interrelationships throughout.

Any indefinite terminology found in the original claim language has been corrected herein. In particular, new independent Claim 17 incorporates the limitations of previous independent Claim 1, along with the limitations of dependent Claims 2 and 3. Independent Claim 17 specifically covers the clamping arrangement and the mechanism for the locking of the elongate member to the clamp in a desired angular position. The support for the limitations found in independent Claim 17 are illustrated in Figures 10 and 11. It is an advantage to lock the elongate member in a desired angular position since this prevents the elongate member from being inadvertently moved either before or during a golf stroke. If the elongate member is moved before or during a golf stroke, then it would defeat the object of the present invention. It is also advantageous for the locking mechanism of the clamp connecting the present invention to the golf club to be separate from the locking mechanism for adjusting the angular position of the elongate member. This enables the position of the device to be fixed and therefore enables fine adjustments to be made to the angular position of the elongate member. The prior art references do not include any such positive locking of the member used to contact the golfer's body. As a result, the prior art prevents the fine adjustments necessary to suit the golfer to be possible. In the prior art, it is too easy for the position of the contact member to be moved either accidentally before a golf stroke or inadvertently by pressure of the golfer's body during the stroke. As such, independent Claim 17 has been revised so as to distinguish the present invention from the prior art with respect to these particular features.

The prior art Leonard patent discloses a golf training system to improve putting technique by preventing a flexing of the leading wrist during the putting stroke. The Leonard device does not comprise an elongate member adapted to contact the body of the golfer at one end. The Leonard device comprises a short stop-arm 22 that is intended to engage the leading wrist and arm of the

golfer along virtually the entirety of its length. Additionally, the Leonard patent does not disclose a ball-type contact means on the end of the stop-arm 22 because this part of the apparatus does contact the golfer and, as can be seen in Fig. 3 of the Leonard patent, tends to curve out of the plane of the rest of the stop-arm away from the golfer. In addition, the stop-arm 22 is not locked in a desired angular position relative to the clamping means but hits a stop in the form of screw 42 that prevents it from pivoting upwardly beyond a certain point (see the paragraph beginning on line 42 of column 4). The stop arm is, however, still free to pivot downwardly into the position shown in Figure 3. In the present invention, in contrast, the elongate member is locked in a particular angular position by the second hand-operated screw. This distinguishing feature is particularly claimed in independent Claim 17.

The Thornhill patent discloses a training device having a forward arm 31 and a rearward arm 49 attached to an attachment bracket 23. Each of the arms 31 and 49 has an upper end that is pivotally mounted on a lower end. There is no "locking means" to lock the upper end in a desired angular position with respect to the lower end. The device appears to rely on friction alone to hold the upper end in the desired angular position. Reference is made to a connector 41 (see column 2, lines 37 - 40) but this simply appears to be a pivot arrangement and no reference is made to any form of locking mechanism.

The Banks patent discloses a training device which is not for use during a putting stroke. The Banks patent describes a training device that is utilized during the backswing of a golfer. In view of this, the elongate member in the form of the rod within is not designed to contact the golfer's body until the end of the stroke. In contrast, the present invention is designed to be in contact with the golfer throughout the stroke. Banks does not teach the functional aspects of the present invention.

There is no teaching of how the device could be adapted for use during a putting shot. In the Banks patent, there is only one locking mechanism which is used to fasten the device to the shaft of the golf club as well as alter its angular position (see column 3, lines 4-9). This is inconvenient and does not enable fine adjustment in the angular positioning of the rod 18 when the wing nut is loosened to permit angular movement. The device is also free to move upwardly and downwardly along the shaft.

The prior art Foresi patent (U.S. Patent No. 5,520,392) describes a training device similar to the present invention. However, the Foresi patent has an elongate member designed to fit into the armpit of the golfer. It is, therefore, clamped in position by the golfer during use. It is not designed to move away from the golfer's body if the stroke is incorrect. This means, first, that the elongate member is not linear but must be bent at 42 (as shown in Figure 4), and, secondly, that the end of the member must be designed to be comfortable in the armpit. In contrast, the present invention uses a ball that is attached to the end of the elongate member.

On this basis, Applicant respectfully contends that independent Claim 17 is no longer "anticipated" by the prior art references.

With respect to dependent claims, dependent Claim 18 reflects the limitations of previous dependent Claim 4. Dependent Claim 19 reflects the limitations of previous dependent Claim 8. Dependent Claims 20 and 21 reflect the alternate recitations found in dependent Claim 10. Dependent Claims 22 and 23 reflect the limitations of found previous dependent Claims 11 and 12.

Under many circumstances, upon a review of the originally submitted claim language, it was found that certain of the dependent claims were not shown in the drawings and, as such, have been cancelled. Claims 13 and 14 are in a improper U.S. format and have been cancelled herein.

Based upon the foregoing analysis, Applicant contends that independent Claim 17 is now in proper condition for allowance. Additionally, those claims which are dependent upon Claim 17 should also be in condition for allowance. Reconsideration of the rejections and allowance of the claims at an early date is earnestly solicited. Since no new claims have been added above those originally paid for, no additional fee is required.

Respectfully submitted,

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